

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MYRON BARBER,

Civil No. 11-2279 (JRT/AJB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

MARGARET MARRINAN, DAVID
MILLER, NICOLE KUBISKA, AND
THE CITY OF MINNESOTA,

Defendants.

Myron Barber, 700 North Fifth Street, Belleville, IL 62220, pro se plaintiff.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan, dated September 8, 2011 [Docket No. 5]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion to Proceed In Forma Pauperis, [Docket No. 2], is **DENIED**;
2. Plaintiff's Motion for Appointment of Counsel, [Docket No. 3], is **DENIED**;
3. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: October 4, 2011
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge